

TYAB



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

TWENTIETH CENTURY FOX FILM CORPORATION, )  
)  
Opposer, )  
)  
v. )  
)  
HON HAI PRECISION INDUSTRY CO., LTD., )  
)  
Applicant. )  
)  
Our Ref. No. 7758/0000001 )

Opposition No. 91153896

Ser. No. 76/002,621

01-23-2003  
U.S. Patent & TMO/c/TM Mail Rcpt Dt. #22

**APPLICANT HON HAI PRECISION INDUSTRY CO., LTD.'S ANSWER  
TO THE NOTICE OF OPPOSITION FILED BY  
TWENTIETH CENTURY FOX FILM CORPORATION**

Applicant, HON HAI PRECISION INDUSTRY CO., LTD. (hereinafter "Hon Hai"), through its undersigned attorneys hereby answers Opposer, TWENTIETH CENTURY FOX FILM CORPORATION'S (hereinafter "Opposer"), Notice of Opposition the above-captioned matter.

1. Hon Hai admits that it is a corporation organized and existing under the laws of the country of Taiwan, Republic of China. Hon Hai also admits that it has filed an application, Ser. No. 76/002,621 for the mark FOXCOM for "network and computer software programs designed for use as engagement management tools such as project, resource, budget and time tracking management that may be downloaded from a global computer network" in International Class 9 and for "design of computers and computer peripherals for others; design of electric communication products for others; design of computer network components for other; computer services, namely, providing a site on a global computer network featuring information in the

field of computers and e-commerce software and program production; computer services, namely, designing and maintaining web sites for others; computer services, namely, testing e-commerce computer software and programs for others; commercial art design and consultation in the field of commercial art design and application service provider services, namely, hosting network and computer software programs designed for use as engagement management tools such as project, resource, budget and time tracking management via a global computer network” in International Class 42. Finally, Hon Hai admits that application Ser. No. 76/002,621 was published for opposition in the July 10, 2001 *Official Gazette*.

2. Hon Hai admits the allegations Paragraph 2 of the Notice of Opposition.

3. Hon Hai admits the allegations Paragraph 3 of the Notice of Opposition.

4. Hon Hai admits that it received a service copy of a Request for Extension of Time to File a Notice of Opposition dated November 28, 2001. Hon Hai is without sufficient information to admit or deny the remaining allegations of Paragraph 4 of the Notice of Opposition and, therefore, denies them.

5. Hon Hai admits that it received a service copy of a Request for Extension of Time to File a Notice of Opposition dated December 14, 2001. Hon Hai is without sufficient information to admit or deny the remaining allegations of Paragraph 5 of the Notice of Opposition and, therefore, denies them.

6. Hon Hai admits that it received a service copy of a Request for Extension of Time to File a Notice of Opposition dated January 28, 2002. Hon Hai also admits that the Trademark Trial and Appeal Board granted the Request for Extension of Time dated January 28, 2002 in an Order dated June 14, 2002. Hon Hai is without sufficient information to admit or deny the remaining allegations of Paragraph 6 of the Notice of Opposition and, therefore, denies them.

7. Hon Hai admits that it received a service copy of a Request for Extension of Time to File a Notice of Opposition dated March 4, 2002. Hon Hai is without sufficient information to admit or deny the remaining allegations of Paragraph 7 of the Notice of Opposition and, therefore, denies them.

8. Hon Hai admits that it received a service copy of a Request for Extension of Time to File a Notice of Opposition dated April 2, 2002. Hon Hai is without sufficient information to admit or deny the remaining allegations of Paragraph 8 of the Notice of Opposition and, therefore, denies them.

9. Hon Hai admits that it received a service copy of a Request for Extension of Time to File a Notice of Opposition dated April 29, 2002. Hon Hai is without sufficient information to admit or deny the remaining allegations of Paragraph 8 of the Notice of Opposition and, therefore, denies them.

10. Hon Hai admits that it received a service copy of a Request for Extension of Time to File a Notice of Opposition dated May 28, 2002. Hon Hai is without sufficient information to admit or deny the remaining allegations of Paragraph 10 of the Notice of Opposition and, therefore, denies them.

11. Hon Hai admits that it received a service copy of a Request for Extension of Time to File a Notice of Opposition dated June 26, 2002. Hon Hai is without sufficient information to admit or deny the remaining allegations of Paragraph 11 of the Notice of Opposition and, therefore, denies them.

12. Hon Hai admits that it received a service copy of a Request for Extension of Time to File a Notice of Opposition dated August 2, 2002. Hon Hai also admits that the Trademark Trial and Appeal Board granted the Request for Extension of Time dated August 2, 2002 in an

Order dated August 16, 2002. Hon Hai is without sufficient information to admit or deny the remaining allegations of Paragraph 12 of the Notice of Opposition and, therefore, denies them.

13. Hon Hai admits that it received a service copy of a Request for Extension of Time to File a Notice of Opposition dated August 23, 2002. Hon Hai is without sufficient information to admit or deny the remaining allegations of Paragraph 13 of the Notice of Opposition and, therefore, denies them.

14. Hon Hai admits the allegations Paragraph 14 of the Notice of Opposition.

15. Hon Hai admits that Opposer is the listed owner of United States trademark registration, Reg. No. 2,529,197, for the mark FOX.COM for "Providing on-line information in the field of television and motion picture film entertainment via a global communications network." Hon Hai is without sufficient information to admit or deny the remaining allegations of Paragraph 15 of the Notice of Opposition and, therefore, denies them.

16. Hon Hai is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 16 of the Notice of Opposition and, therefore, denies them.

17. Hon Hai is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 17 of the Notice of Opposition and, therefore, denies them.

18. Hon Hai is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 18 of the Notice of Opposition and, therefore, denies them.

19. Hon Hai denies the allegations of Paragraph 19 of the Notice of Opposition.

20. Hon Hai denies the allegations of Paragraph 20 of the Notice of Opposition.

21. Hon Hai denies the allegations of Paragraph 21 of the Notice of Opposition.

22. Hon Hai denies the allegations of Paragraph 21 of the Notice of Opposition.

23. Hon Hai denies the allegations of Paragraph 23 of the Notice of Opposition.

24. Hon Hai denies the allegations of Paragraph 24 of the Notice of Opposition.

With respect to the unnumbered paragraph following Paragraph 24 of the Notice of Opposition, Hon Hai denies that registration of the mark FOXCOT would be damaging to Opposer.

DATED: January 23, 2003

By:



James R. Menker

Paul W. Kruse

PILLSBURY WINTHROP LLP

1600 Tysons Boulevard

McLean, VA 22102

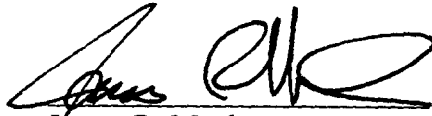
Tel: (703) 905-2000

Fax: (703) 905-2500

### CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing "APPLICANT HON HAI PRECISION INDUSTRY CO., LTD.'S ANSWER TO THE NOTICE OF OPPOSITION FILED BY TWENTIETH CENTURY FOX FILM CORPORATION" was served on Opposer with an address at P.O. Box 900, Beverly Hills, CA 90213, via first class mail, postage prepaid, today January 23, 2003.

By:



James R. Menker